

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT ANNABEL II,

Plaintiff,

v.

Case No. 22-12189
Honorable Laurie J. Michelson
Magistrate Judge Anthony P. Patti

JACKSON COUNTY SHERIFF
DEPARTMENT et al.,

Defendants.

/

**ORDER GRANTING IN PART, DENYING IN PART PLAINTIFF'S
MOTION FOR AMENDMENT OF SCHEDULING ORDER (ECF NO. 75)
AND GRANTING LEAVE TO DEPOSE PLAINTIFF**

A. Background

Robert Wayne Annabel, II is currently located at the Michigan Department of Corrections (MDOC) Ionia Correctional Facility (ICF), where he is serving a life sentence imposed on May 15, 2024, for a May 23, 2022 offense. *See People v. Annabel*, Case No. 2022-704-FC (Jackson County, 4th Circuit Court); ECF No. 41-1 [Register of Actions]; www.michigan.gov/corrections, “Offender Search.”

In September 2022, while located at the MDOC's Macomb Correctional Facility (MRF), Annabel initiated this lawsuit, which stems from his alleged May 23, 2022 arrest – at which time he “was in a six-bedroom house designated for parolees[,]” (ECF No. 45, PageID.402 ¶ 1) – and subsequent alleged events at the

Jackson County Jail (JCJ). (Id., ¶¶ 13-23.) Plaintiff brought this action against the Jackson County Sheriff Department (JCSD), Advanced Correctional Healthcare, Inc. (ACH), Sheriff Gary Schutte, Deputy Ryan Stevenson, and three unknown 3rd shift JCJ deputies. (ECF No. 1, ¶¶ 5-11; see also ECF Nos. 21, 32.)

Plaintiff is proceeding in forma pauperis, the U.S. Marshal has facilitated service of process, and Defendants JCSD, Schutte, Stevenson, and ACH have appeared via counsel. (ECF Nos. 17, 18, 19, 21, 24, 27, 29, 32.)

The case has been referred to me for “all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B).” (ECF No. 20.) On August 27, 2024, Judge Michelson issued an order adopting my report and recommendation and, among other things, dismissing Defendant ACH. (ECF No. 76.)

Before the Court is an unopposed motion to amend the scheduling order (ECF No. 75).¹ The court heard oral argument on this and several other discovery related motions via zoom on September 26, 2024.

¹ The Court will address the motions to compel (ECF Nos. 47, 48, 59, 69, 72) by separate order.

B. Order

Upon consideration of the motion papers and oral argument, and for all the reasons stated on the record by the Court, which are hereby incorporated by reference as though fully restated herein, Plaintiff's unopposed motion for amendment of scheduling order (ECF No. 75) is **GRANTED IN PART AND DENIED IN PART.**

The dispositive motion deadline is EXTENDED, by agreement and for good cause, until **February 21, 2025**.

Discovery is EXTENDED *as to Defendants only* until **December 26, 2024**, but only as to the three items which counsel represented that she needed: 1) Plaintiff's deposition; 2) Plaintiff's signed release authorizing ten years of MDOC records; and, 3) the ten years of MDOC records. Leave is **HEREBY GRANTED** to depose Plaintiff, and Plaintiff is DIRECTED to sign the release which Defendants will send to him FORTHWITH.

Plaintiff represented on the record that he did not require additional discovery, beyond what he has already requested, so there is no good cause to extend discovery as to him, and discovery is now closed for any further discovery by Plaintiff.

IT IS SO ORDERED.²

Dated: September 26, 2024

s/*Anthony P. Patti*

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

² The attention of the parties is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days after being served with a copy of this order within which to file objections for consideration by the district judge under 28 U.S.C. § 636(b)(1).